

**YOUNG CONAWAY STARGATT &
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Hearing Date: October 22, 2014 at 10:00 a.m. EST
Objection Deadline: October 10, 2014 at 4:00 p.m. EST

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the estate of
Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,
Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBIT 1
ATTACHED HERETO,

Adv. Pro. Nos. listed on Exhibit 1
Attached Hereto

Defendants.

**NOTICE OF TRUSTEE'S OMNIBUS MOTION FOR LEAVE TO REPLEAD
PURSUANT TO FED. R. CIV. P. 15(a) AND COURT ORDER AUTHORIZING
LIMITED DISCOVERY PURSUANT TO FED. R. CIV. P. 26(D)(1)**

Irving H. Picard, as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* ("SIPA"), and the substantively consolidated estate of Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on October 22, 2014 at 10:00 a.m. (EST), or as soon thereafter as counsel may be heard, seeking entry of an order (i) granting the Trustee leave to replead the operative complaints in the adversary proceedings identified on **Exhibit 1** attached hereto (the "YCST Adversary Proceedings"), pursuant to Fed. R. Civ. P. 15(a), made applicable to this proceeding pursuant to Fed. R. Bankr. P. 7015; and (ii) directing the defendants in the YCST Adversary Proceedings to comply with the proposed Limited Document Discovery Demand attached as Exhibit A to the *Declaration of Matthew B. Lunn in Support of the Trustee's Omnibus Motion for Leave to Replead Pursuant to Federal R. Civ. P. 15(a) and Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1)*, filed on the date herewith, pursuant to Fed. R. Civ. P. 26(d), made applicable to this proceeding by Fed. R. Bankr. P. 7026(d).

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than October 10, 2014 at 4:00 p.m. (EST) (with a courtesy copy

delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon counsel for the Trustee, Young Conaway Stargatt & Taylor, LLP, 1270 Avenue of the Americas, Suite 2210, New York, New York 10020, Attn: Matthew B. Lunn and Justin P. Duda. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

Dated: August 28, 2014
New York, New York

/s/ Matthew B. Lunn

Matthew B. Lunn

Justin P. Duda

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*Attorneys for Irving H. Picard,
Trustee for the
Substantively Consolidated SIPA
Liquidation of
Bernard L. Madoff Investment
Securities LLC
and Bernard L. Madoff*

EXHIBIT 1

YCST Adversaries

Adversary Proceeding	Adversary Proceeding Number
Picard v. Caceis Bank Luxembourg, <i>et al.</i>	11-02758
Picard v. Crédit Agricole (Suisse) S.A., <i>et al.</i>	12-01022
Picard v. Barfield Nominees Limited, <i>et al.</i>	12-01669
Picard v. Crédit Agricole Corporate and Investment Bank	12-01670
Picard v. Intesa Sanpaolo SpA, <i>et al.</i>	12-01680